

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

September 17, 2012 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Chad Mitchell, Chairman
Carl Ford, Vice-Chairman
Jon Barber, Member
Raymond Coltrain, Member
Jim Sides, Member

County Manager Gary Page, Clerk to the Board Carolyn Athey, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Mitchell convened the meeting at 3:00 p.m.

Chairman Mitchell provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Sides seconded and the vote to approve the minutes of the September 4, 2012 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

- Commissioner Barber moved to add a discussion regarding the proposed bike path on Statesville Boulevard. Commissioner Sides seconded and the motion passed unanimously.

Chairman Mitchell added the discussion as agenda item #7b.

- Chairman Mitchell moved to add a request from the Scotch Irish Volunteer Fire Department. The motion was seconded by Commissioner Sides and passed unanimously.

Chairman Mitchell added the discussion as agenda item #7c.

CONSIDER DELETIONS FROM THE AGENDA

Chairman Mitchell moved to delete agenda item #4 (*Consider Approval of RTS Fleet Conversion to a Dual Fuel System of Propane and Gasoline*). The motion was seconded by Commissioner Barber and passed unanimously.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the agenda passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Coltrain moved approval of the Consent Agenda. The motion was seconded by Commissioner Barber and passed unanimously.

The Consent Agenda consisted of the following:

- A. Set Public Hearing for October 1, 2012 for Z 05-12
- B. Resolution for Airport Grant - Land for RPZ and Perimeter Fencing
- C. Amendment to Resolution for Rowan County Appointment Process for Boards and Commissions

2. PUBLIC COMMENT PERIOD

Chairman Mitchell opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- Reid Walters, a member of the Spencer Board of Aldermen, spoke regarding the Board's position (discussed during regular session on September 4, 2012) for all elections to be partisan elections.
- Sheriff Kevin Auten said his department along with the North Carolina Department of Agriculture and Consumer Services, Department of Environmental Management, would be sponsoring a 2012 fall Special Waste Recycling Event on October 3, 2012.

With no one else wishing to address the Board, Chairman Mitchell closed the Public Comment Period.

3. PUBLIC HEARING FOR PROJECT "GREEN"

Economic Development Director Robert Van Geons presented the economic impact analysis for the potential expansion of Freshhouse in Rowan County. Mr. Van Geons also introduced Freshhouse official Michael King, who was in attendance.

Mr. Van Geons said Freshhouse had operated a successful packaging and distribution operation in Rowan County for nearly fifteen (15) years. Mr. Van Geons said the Company currently leased the facility at 216 Julian Road and employed 116 full-time and 7 part-time employees.

Mr. Van Geons said the Company needed to relocate due to the nature of its current space. The Company was looking to expand operations to gain cost savings and was considering sites in several states. Mr. Van Geons said after performing its due diligence, the Company had expressed an interest in purchasing the vacant building at 311 Long Meadow Drive.

The proposed project would represent approximately \$6.3 million of new investment in Rowan County and would retain the existing jobs while creating 90 new positions. Mr. Van Geons reported that the average wage for the 90 new jobs would be \$26,442 per year, plus benefits.

Mr. Van Geons went on to say that the County's policy set a Level One grant as a project with investments exceeding \$5 million. Mr. Van Geons said the assessed value was considered, as well as the investment value, which required the investment by the company to include acquisition. Mr. Van Geons said that if the building was already standing it was on the tax books and not eligible for consideration in the incentive program.

Mr. Van Geons said the project exceeded \$5 million in total cost to the company, but the projected assessed value at this time would be \$4.5 million. Mr. Van Geons said that in talking with the company and recognizing this, the company would like to amend the standard request of 5 years at 75%. Mr. Van Geons said the annual incentive payment projected at \$1,000 would change to \$6,000 over the total life of the project.

Chairman Mitchell opened the public hearing to entertain citizen input regarding the requested investment grant. With no one wishing to address the Board, Chairman Mitchell closed the public hearing.

Commissioner Coltrain moved to approve the incentive request. The motion was seconded by Commissioner Barber.

Commissioner Sides said he was not against Freshhouse; however, he was opposed to incentives. Commissioner Sides expressed appreciation to Freshhouse for being in Rowan County since 1997 and for the above standard wages the Company paid. Commissioner Sides stressed he was not voting against Freshhouse and he expressed hope the Company would remain in Rowan County. Commissioner Sides said he would vote against the request.

Commissioner Ford thanked Freshhouse for the jobs, for amending the request and for considering Rowan County.

In response to an inquiry from Commissioner Barber, Commissioner Coltrain confirmed the motion reflected the amended agreement as requested.

Commissioner Barber expressed hope that Freshhouse would consider Salisbury as the best option for its expansion.

Upon being put to a vote, the motion on the floor passed 4-1 with Commissioner Sides dissenting.

4. CONSIDER APPROVAL OF RTS FLEET CONVERSION TO A DUAL FUEL SYSTEM OF PROPANE AND GASOLINE

This item was deleted from the agenda.

5. CONSIDER APPROVAL OF NEW WEST ROWAN AMBULANCE STATION BUDGET AND BUDGET AMENDMENT

Emergency Services Director Frank Thomason reported on the status of the proposed West Rowan Ambulance Station Project. Mr. Thomason said the station would provide an immediate presence in western Rowan County with a temporary facility adjacent to the existing Cleveland Volunteer Fire Department (VFD). Mr. Thomason said Staff proposed an agreement to be established with the VFD for use of the site, not to exceed five (5) years, which should allow adequate time for the construction of a new fire station facility that would include permanent quarters for EMS. Mr. Thomason explained that upon completion of the permanent facility, the temporary station would be available for relocation as a replacement or as an additional EMS station site elsewhere.

Mr. Thomason continued to highlight the project information and in closing he suggested the County hire a General Contractor to facilitate the project for the temporary structure. Mr. Thomason said the estimated potential fee was 5% of the construction costs.

Chairman Mitchell asked if the 5% for the General Contractor would be in addition to the total budget (\$576,703). Mr. Thomason responded that the fee would be 5% of the total cost for the temporary structure (\$170,700), furnishings (\$8,500), rent/land lease (\$900) and utilities (\$1,800).

Commissioner Sides commented for the public's understanding that the structure was not temporary but rather the location for the structure was temporary. Commissioner Sides said the structure would have an extended life in other locations.

Commissioner Coltrain expressed appreciation for the initiative to locate a station in Cleveland.

Commissioner Barber said he was glad the County was at the point to put a station in the western area of the County. Commissioner Barber said the investment would improve the response times in the area. Commissioner Barber also mentioned that the Board would need to address the response times in the Rockwell area at some point.

Commissioner Sides moved approval of the West Rowan EMS Station with a start date of January 1, 2013 and to proceed as originally planned, and to include a 5% contractor fee. The motion was seconded by Commissioner Barber and passed unanimously.

6. ANNOUNCEMENT REGARDING ROWAN COUNTY'S TRANSPARENCY RATING

Chairman Mitchell explained that at request of Commissioners Sides, staff had taken the initiative to put as much information online as possible. Chairman Mitchell praised county staff for the information made available on the County's website and for the efforts to make Rowan County Government more transparent. Chairman Mitchell expressed appreciation to Commissioner Sides and all board members, as well as employees, for making the information available.

Commissioner Barber also thanked Commissioner Sides for bringing Rowan County to this point. Commissioner Barber said Rowan County was the only county in North Carolina to receive an A+ rating for transparency by the John Locke Foundation (JLF).

Commissioner Sides said county staff had performed the work. Commissioner Sides said he did contact the JLF to let them know they were incorrect with some of their facts. Commissioner Sides said he had also notified the JLF to advise of the completion of updated information on the County's website.

Chairman Mitchell noted that Rowan County had more information available than any other government entity in the State of North Carolina.

Commissioner Ford expressed appreciation to Commissioner Sides and staff.

7. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Sheriff – Recognize funds from Federal Bulletproof Vest Partnership Grant and place in proper expense account \$2,500
- Finance – To recognize reserved funds from FY 2012 for Health Department - \$17,694

Commissioner Coltrain moved approval of the budget amendments as presented. The motion was seconded by Commissioner Ford and passed unanimously.

ADDITION

7b. PROPOSED BIKE PATH ON STATESVILLE BOULEVARD

Commissioner Barber recalled that approximately three (3) weeks ago a community meeting was held for the citizens who live along Statesville Boulevard to engage them regarding the possibility of changing Statesville Boulevard to accommodate a bike path. Commissioner Barber said the people in the area were concerned their voices had not been heard. Commissioner Barber said the general feeling amongst those who had contacted him was that an overwhelming majority of people in the affected area were opposed to the proposed bike path. Commissioner Barber said the Board did not contribute to the City's master plan; however, he felt it was the Board's responsibility to acknowledge the citizens' concerns and possibly support their opposition to the proposed bike path.

Commissioner Coltrain said he had traveled the road twice a day for a long time and based on the volume of traffic, he did not see why the cyclists could not use the existing sidewalk that ran to Hurley School Road. Commissioner Coltrain said the danger from the traffic volume did not make the proposed bike path a safe route.

Commissioner Sides said there were now four (4) lanes going to Statesville and he felt it did not make sense to cut the road down to two (2) lanes and bottleneck traffic. Commissioner Sides also mentioned the traffic issues that would arise with morning traffic due to school buses, etc.

Commissioner Ford said it seemed the citizens' were not being listened to by the Department of Transportation (DOT). Commissioner Ford said the citizens' and churches in the area had voiced their opinion and should be heard.

Chairman Mitchell said with the limited information he had received at this point, he supported the citizens that were against the bike path. Chairman Mitchell felt the proposal had not been well thought out thus far and he expressed hope that the citizens' wishes would be taken into consideration.

7c. REQUEST FROM SCOTCH IRISH VOLUNTEER FIRE DEPARTMENT

Chairman Mitchell said the County had received a request for a letter from Scotch Irish Volunteer Fire Department (VFD) regarding an equipment purchase. Chairman Mitchell said there would be no financial liability to the County; however, he felt it appropriate that such requests be approved by the Board of Commissioners.

Chairman Mitchell moved approval of the letter and also to instruct staff to draft a resolution to include the direction of the Board of Commissioners to VFD, including a requirement to hold a public hearing if there was a proposed increase to the fire tax. Chairman Mitchell said the Board had discussed the requirement for the public hearings; however, no formal motion had ever been made. Chairman Mitchell also said the resolution should include language that if a VFD

was going to purchase a large piece of equipment for \$10,000 or greater, the information should be presented to the Board. Chairman Mitchell said it would not necessarily be for approval but since the Board of Commissioners set the fire tax rate, it ultimately affected the Board with its budget decisions. Chairman Mitchell repeated that he moved approval of the letter as presented, with the addition of instructions for staff to prepare a resolution regarding all of the different items the Board had asked of the VFD through the budget process as of late. The motion was seconded by Commissioner Ford.

Commissioner Sides said he agreed with the Chairman's motion. Commissioner Sides said even though there was no direct financial responsibility that fell to the Board for the purchase of equipment, it created future liability. Commissioner Sides felt equipment/new building purchases, etc. should be brought to the Board's attention when the VFD's presented their budgets each year.

Commissioner Coltrain said he would agree with the motion as long as the VFD's did not have to come to the Commissioners for permission. Commissioner Coltrain said the VFD's had a board that was appointed by the Commissioners to manage their budgets. Commissioner Coltrain agreed the Commissioners should be informed up front; however, he did not feel the VFD's should have to ask the Commissioners approval for the purchase of a piece of equipment.

Commissioner Barber encouraged the citizens to get involved in the functions of VFD's in their communities.

Commissioner Sides stressed that it was not the intent of the Commissioners to micromanage the VFD's but to have information up front.

Upon being put to a vote, the motion on the floor passed unanimously.

8. ADJOURNMENT

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 3:48 pm. The motion was seconded by Commissioner Ford and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC, NCCCC
Clerk to the Board/Assistant to the County Manager